

**MADISON INLAND WETLANDS AGENCY
REGULAR MEETING
Monday, January 5, 2009
Meeting Room A, Town Campus**

A regular meeting of the Madison Inland Wetlands Agency (IWA) was held on Monday, January 5, 2009 at 7:30 p.m. in Meeting Room A, Madison Town Campus. With Chairman Thomas Paul presiding, the meeting was called to order at 7:35 p.m.

Present: Thomas Paul, John Mathieu, Barbara Yaeger, David Newton, Rodney Bascom, Lee Schumacher and Alternates: Bill Freeman and Ted Aub. Inland Wetlands Officer Robert Kuchta was also present. Glenn Falk and alternate Robert Speziale were absent.

In order to expedite the agenda, applications and agenda items were addressed in the order that best served the Agency.

REGULAR MEETING

08-42: 1 KIMBERLY LANE. Owners: Dave & Felicia Coletti; Applicant: TEC Landscape Design. Regulated Activity Permit to construct concrete retaining wall and landscaping associated with driveway improvements within 100 ft. of a wetland. **Receipt only.**

John Cunningham, TEC, Madison

As representative for the applicant, pointing out the wetlands on the map, he explained that the current driveway is very near the house and does not allow room for maneuvering into the garage. They are proposing to pour a 4' concrete wall to frame in a new driveway. This will be approximately 10' from the actual wetland line. Silt fence and hay bales are shown along the wetlands as a control measure. The wall will be installed at approx. the elevation of the garage floor, 110.75. The area will be almost level. The top of the wall will be approx. 110.

There is also an existing rear deck. They would like to put a screened porch in that approx. area. The precise location is still to be determined. It will be either just inside the 100' setback line or off the great room which is outside the 100' line.

In addition, there is an existing masonry landing at the front of the house that was not constructed correctly and is falling apart. The existing one will be removed and a new one built to replace it in the exact same location.

He is proposing to remove 6 trees. They may not all need to be removed but the excavation for the wall will probably damage the root mass, necessitating their removal. There are thick woods behind this area. He recommended plantings for the area to help create diversity.

B.Yaeger – what is the slope of the driveway? Does it slope towards the wetland?

John Cunningham – yes.

B. Yaeger – where will it be draining now?

John Cunningham – the garage will be the highest point. Some of the water will flow toward the rear yard. The wall itself will be 10” above the finished driveway elevation. It will serve as a tire stop.

Chairman Paul – the roof will have gutters? Where will it drain?

John Cunningham – the home currently has gutters and they empty at their bases into crushed stone. There is no underground drainage system. It will not run off onto the driveway. The driveway is approx. 5’ higher than the rear lawn area.

D. Newton – Is the wall going to be cut into the grade between it and the wetland?

John Cunningham – no, it will remain as is.

B. Yaeger- what is the amount of fill that will be put in?

John Cunningham – we are hoping to use topsoil that is removed from other locations on the property, requiring no fill to be brought in.

J. Mathieu – so the driveway is all new?

John Cunningham – the circular portion in the front is new.

J. Mathieu – and it is all going to be paved?

John Cunningham – yes.

D. Newton – was a map submitted with elevations shown?

John Cunningham – there are spot elevations but no contours.

J. Mathieu – how old is the house?

John Cunningham – it was probably built in the late 80’s.

Chairman Paul – there will be silt fences around the stockpile area?

John Cunningham – yes.

R. Bascom – clarified elevations. The greatest impact on the wetlands will be during construction of the wall?

John Cunningham – correct.

B. Yaeger – her concern is which way the runoff of the driveway is going.

R. Bascom – asked if the application was complete.

IWO Kuchta – unless there is additional information the Agency requires.

D. Newton – is there a copy of the plans showing the elevations in the file?

IWO Kuchta – yes.

B. Yaeger – she would like to see the direction of flow off the driveway defined with drainage arrows.

Chairman Paul – have you walked the site and if so do you have comments?

IWO Kuchta – yes. It might be a good idea for the Agency to walk it as well.

A motion was made by Rodney Bascom, seconded by David Newton, whereby the Madison Inland Wetlands Agency voted unanimously to receive application 08-42: 1 Kimberly Lane and include it on the agenda for the next regularly scheduled meeting with a site walk to be done by the Agency.

John Cunningham – in addition to the application, he explained that the applicant would like to install a tennis court. He pointed out the property he was proposing to purchase at the rear of the property.

D. Newton – the area should be marked off so the Agency can see it when they do the site walk.

08-43: BOSTON POST ROAD. Map 44; lot 19. Owner: Tregger, LLC; Applicant: Gregg Fedus. Regulated Activity Permit for multi-family development with associated parking, utilities, accessways, and landscaping within 100 ft. of a wetlands. **Receipt only.**

Gregg Fedus

As representative for the applicant he explained that they are proposing a multi-family development which will front on both Boston Post Road and Wildwood with wetlands dividing the property into two sections, each with different neighborhood characteristics. They would like to connect the two pieces together with a pedestrian walkway.

Chairman Paul – is this connected with affordable housing?

Gregg Fedus – yes it is. 30% of the units are required to fall under the “affordable housing” criteria.

D. Newton – are these individual lots or will they have a common land area?

Gregg Fedus – it is common, there will be an association.

D. Newton – it is currently one piece of property?

Gregg Fedus – yes.

Chairman Paul – will there be a common sewer system?

Gregg Fedus – each building will have its own septic system.

J. Mathieu – the walkway really isn’t something the Agency can comment on as it isn’t part of this application.

John Cunningham – they are proposing to use many rain garden swales for drainage with some underground storage behind the buildings away from the septic systems. He needs to provide IWO Kuchta with more details on this. This has not been included in the current plans but will be included.

Chairman Paul – outside of the wetlands, how much is in open space.

Gregg Fedus – 35% is impervious. Approx. 40% is open with no wetlands or impervious coverage.

D. Newton – this may require DEP approval as there are more than 30 bedrooms. This should be determined. Mike Ott will be reviewing this. This is a significant activity and will require a public hearing and site walk.

A motion was made by Rodney Bascom, Seconded by Lee Schumacher, whereby the Madison Inland Wetlands Agency voted unanimously to receive application 08-43: Boston Post Road and schedule it for public hearing on the agenda for the next regularly scheduled meeting with a site walk to be held by the Agency. This application is deemed to be a significant activity.

PUBLIC HEARING

A motion was made by Rodney Bascom, seconded by John Mathieu, whereby the Madison Inland Wetlands Agency voted unanimously to open the public hearing for 08-18: Madison Inland Wetlands Agency at 8:18 P.M.

08-18: Applicant: Madison Inland Wetlands Agency. Request to amend various sections of the town of Madison Inland Wetlands and Watercourses Regulations to bring them into conformity with State mandates. Public Hearing was closed and awaiting comments from

Town Attorney. A new public hearing was advertised subsequent to proposed additional changes.

The changes proposed by Atty. Zizka were addressed.

Chairman Thomas Paul – asked if there was any comment from the public and there was none.

A motion was made by Rodney Bascom, seconded by David Newton, whereby the Madison Inland Wetlands Agency voted unanimously to close the public hearing for 08-18: Madison Inland Wetlands Agency.

Discussion

The public hearing was continued to the next regularly scheduled meeting to allow time for IWO Kuchta to incorporate the changes into the Madison Inland Wetlands and Watercourses Regulations.

SECTION 13 APPROVALS:

08-41: 126 DEEPWOOD DRIVE and DEEPWOOD DRIVE. Owners: William & Ann Clemmons and Town of Madison; Applicant: Town of Madison. Regulated Activity Permit for storm drainage improvements within 100 ft. of a wetland. Approved December 16, 2008.

APPROVAL OF BILLS

A motion was made by Bill Freeman, seconded by Rodney Bascom, whereby the Madison Inland Wetlands Agency voted unanimously to approve payment of the bills as submitted.

APPROVAL OF MINUTES

Regular meeting of December 1, 2009

A motion was made by Lee Schumacher, seconded by Barbara Yaeger, whereby the Madison Inland Wetlands Agency voted unanimously to approve the minutes of the December 1, 2008 meeting as submitted.

Special Meeting, December 15, 2008.

A motion was made by Rodney Bascom, seconded by Lee Schumacher, whereby the Madison Inlands Wetlands Agency voted unanimously to approve the minutes of the special meeting of December 15, 2008 meeting as submitted.

REMARKS – INLAND WETLANDS CHAIRMAN

Election of Officers

A motion was made by Rodney Bascom, seconded by John Mathieu, whereby the Madison Inlands Wetlands Agency voted unanimously to retain current officers of the Agency for the 2009 term.

- INLAND WETLANDS OFFICER

Budget

A motion was made by Rodney Bascom, seconded by Dave Newton, whereby the Madison Inlands Wetlands voted unanimously to approve the proposed budget for 2009.

LITIGATION: Executive Session as Required

A motion was made by Rodney Bascom, seconded by Barbara Yaeger, whereby the Madison Inlands Wetlands Agency voted unanimously to adjourn to executive session to discuss pending litigation at 8:55 P.M.

A motion was made by Rodney Bascom, seconded by Barbara Yaeger, whereby the Madison Inlands Wetlands Agency voted unanimously to adjourn executive session and return to the regular meeting at 9:05 P.M.

Notice of Violation

IWO Kuchta – read a letter from the Alteiri’s regarding clear cutting in a conservation easement near the Highlands. After discussion, the Agency agreed that IWO should follow up with a Cease and Desist Order to the owner of the property.

A motion was made by David Newton, seconded by Barbara Yaeger, whereby the Madison Inland Wetlands Agency voted unanimously to adjourn at 9:20 P.M.

Respectfully submitted,

J. Donnette Stahnke
Recording Secretary, Inland Wetlands Agency